IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO. 4981 OF 2004
WITH
CRIMINAL APPLICATION NO.1050 OF 2005
WITH
CRIMINAL APPLICATION NO. 6565 OF 2005
WITH
CRIMINAL APPLICATION NO. 838 OF 2006
IN
CRIMINAL APPEAL NO. 1364 OF 2004

Bhagat Narayan Kunchikurve ..Applicant
Vs.
The State of Maharashtra ..Respondent

None for the applicant.
Mr. K.V. Saste, APP for State.

CORAM: B.H. MARLAPALLE & R.S. MOHITE,JJ.

Date : March 05, 2007.

P.C.:

1. We have noted that the applicant has filed Criminal Appeal No. 1364 of 2004 against his conviction and sentence under Section 376(2)(f) and 506 (II) of IPC and the said appeal has been admitted on 23/2/2007. We have also noticed that the applicant has filed bail applications from time to time and originally the appeal was filed belatedly and, therefore, it was pending for almost more than two years for condonation of delay.

2. Criminal Application Nos.4981/04, 1050/05, 6565/05 and 838/06 have been filed praying for release on bail during the pendency of the appeal. In Criminal Application No. 1050 of 2005 we had passed an order on 23/2/2007 to hear the said application along with the appeal. We have noted that in all these applications there is a common prayer for bail and, therefore, Criminal Application No. 1050 of 2005 requires to be heard, more so when the paper book in the Criminal Appeal is not yet ready.

3. Hence, we direct that Criminal Application No.1050 of 2005 be listed for orders after two weeks.

4. Criminal Application Nos.4981/04, 6565/05 and 838/06 are hereby disposed in view of the fact that Criminal Application No. 1050 of 2005 is directed to be listed after two weeks for orders on the prayer for being released on bail.

(R.S. Mohite, J.) **(B.H. Marlapalle,J.)**